

10/524647

DT05 Rec'd PCT/PTO 17 FEB 2005

Docket No.: 13173-00004-US  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ralf Flachmann et al.

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: Concurrently Herewith

Art Unit: N/A

For: USE OF ASTAXANTHIN-CONTAINING  
PLANTS OR PARTS OF PLANTS OF THE  
GENUS TAGETES AS FEEDSTUFFS

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97, Applicant(s) hereby make of record the following documents. A PTO Form SB/08 and a full copy of each of the documents required under 37 CFR 1.98(a)(2) accompany this statement.

Of the documents listed on the attached SB/08 are the documents cited in an International Search Report during the prosecution of international application no. PCT/EP03/09109, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(b)(2), hereby submit(s) these documents for the Examiner's consideration. A copy of the International Search Report and of each document required under 37 CFR 1.98(a)(2) are enclosed as well.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that

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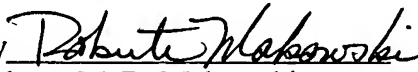
Application No.: Not Yet Assigned

such document is prior art. Moreover, Applicant(s) understand(s) the Examiner will make an independent evaluation of the cited documents.

Applicant believes no fee is due with this Information Disclosure Statement. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13173-00004-US from which the undersigned is authorized to draw.

Dated: February 17, 2005

Respectfully submitted,

By   
Roberte M. D. Makowski

Registration No.: 55,421  
CONNOLLY BOVE LODGE & HUTZ LLP  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, Delaware 19899  
(302) 658-9141  
(302) 658-5614 (Fax)  
Attorney for Applicant

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|---|---|----|---|--------------------------|-----------------------|
| Substitute for form 1449A/B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |                       |
|   |   |    |   | Application Number       | Not Yet Assigned      |
|   |   |    |   | Filing Date              | Concurrently Herewith |
|   |   |    |   | First Named Inventor     | Ralf Flachmann        |
|   |   |    |   | Art Unit                 | N/A                   |
|   |   |    |   | Examiner Name            | Not Yet Assigned      |
| Sheet   | 1 | of | 1 | Attorney Docket Number   | 13173-00004-US        |

| U.S. PATENT DOCUMENTS |                          |   |                                |  |   |
|-----------------------|--------------------------|---|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number<br>Number-Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                          |   |                                |  |   |

| FOREIGN PATENT DOCUMENTS |                          |   |  |                                   |  |   |                |
|--------------------------|--------------------------|---|--|-----------------------------------|--|---|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   |  | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|                          |                          | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known) |  |                                   |  |   |                |
|                          | BA                       | WO-WO 03/080849-A2  |  | 10-02-2003                        | Hauptmann et al.                                   |   |                |
|                          | BB                       | WO-WO 03/077950-A1  |  | 09-25-2003                        | Rodriguez et al.                                   |   |                |
|                          | BC                       | WO-WO 00/32788-A2   |  | 06-08-2000                        | Dellapenna et al.                                  |   |                |
|                          | BD                       | WO-WO 99/07867-A1   |  | 02-18-1999                        | Shewmaker  |   |                |
|                          | BE                       | WO-WO 92/01754-A1   |  | 02-06-1992                        | Mawson   |   |                |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---------------------------------|--------------------------|---|----------------|
| Examiner<br>Initials*           | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                                 |                          |   |                |

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|